

REMARKS

The Office Action of April 26, 2010, has been carefully studied. Claims 1-6, 8-12, 14 and 15 currently appear in this application. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration and formal allowance of the claims.

Claim Amendments

Claims 7 and 13 have been cancelled and their limitations added to claims 1 and 8, respectively.

Art Rejections

Claims 1, 2, 5, 8, 9, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohmura et al., WO 9903161, as evidenced by the English language equivalent, US 2003/0077510.

This rejection is respectfully traversed.

The limitations of claims 7 and 13 have been added to claims 1 and 8, respectively. There is nothing in Ohmura'510 that discloses or suggests that there is any cobalt in the nickel-phosphorus alloy plating layer.

Claims 1, 2, 5, 6, 8, 9, 12 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hikata et al., JP 20082446.

This rejection is respectfully traversed.

As the Table on page 14 of the present specification shows, adding the herein claimed range of cobalt to an inner surface of the battery case produces a battery having lowered internal resistance and longer discharge time than batteries without this inner layer.

In contrast thereto, Hikata does not disclose this particular range of cobalt to the inner layer of the battery case.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmura'510 as applied to claim 1 and further in view of Ohmura et al., WO 0213289, English language equivalent US 2004/005499.

This rejection is respectfully traversed.

Claim 3 includes the limitations of amended claim 1, namely that the nick el phosphorus alloy layer contains 5 to **70%** by weight of cobalt. This feature is neither disclosed nor suggested in either Ohmura reference.

Claims 1-4, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmura'499 in view of Ohmura'510.

This rejection is respectfully traversed.

Claims 1-4, 10 and 11 all incorporate limitations from amended claims 1 and 8, namely, that the nickel phosphorus alloy layer contains 5 to **70%** by weight of cobalt. This feature is neither disclosed nor suggested in either Ohmura reference.

Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hikata and further in view of Soejima et al., JP 54145335.

This rejection is respectfully traversed.

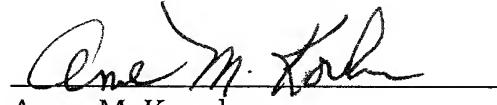
Soejima discloses a metal molding coated with an alloy of 96 to 80 wt% nickel and/or cobalt and 4 to 20 wt% phosphorus and/or boron. This is a coating for an outer surface, while the nickel-phosphorus alloy layer in the presently claimed assembly is on the inner surface. Moreover, Soejima merely discloses this alloy for use as a material for a machine tool such as a gear wheel, a roller, or a shaft. This is not at all the same as an inner surface of a battery case, and is certainly not analogous art with respect to Hikata.

Even, *arguendo*, if one skilled in the art were to combine Soejima with **Hikata**, it is still difficult to arrange the particular range of the cobalt to the inner surface of the battery case. Because Soejima only discloses surface modification of a gear wheel, roller or shaft, it should be noted that the Soejima treatment is for the outer surface of these tools, not the inner surface of a battery case.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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